

REMARKS

The Office Action of January 12, 2006 has been carefully noted. The following paragraphs correspond to the paragraphs of the Office Action:

Double Patenting

In response to the continued double patenting rejections, Applicants hereby transmit a terminal disclaimer regarding U.S. patents 6,338,791 and 6,809,228. Conversely, it is clear that U.S. 6,809,228 constitutes an improvement patent and its term will not be effected by the present terminal disclaimer.

Claim Rejections - 35 U.S.C. 103

The claims are rejected over Stem U.S. 4,982,048, and with respect to claim 19, Stem in view of Zinnen et al. (5,744,684).

By inspection, it is clear beyond question that the essential teaching of Stem et al. is to separate multi-branched paraffins from a feedstream prior to isomerization so that the multi-branched moieties as well as cyclic paraffins and aromatics can be passed to a refinery gasoline pool, bypassing an isomerization step. The remaining hydrocarbon moieties, normal paraffins and monomethyl paraffins are then passed to an isomerization unit where they are converted, at least in part, to multi-branched paraffins which can be also sent to a gasoline pool, with the remaining fraction being passed to an isomerization unit.

In actuality, Applicants' process is diametrically opposite to that of Stem et al. inasmuch as in Applicants' process there is no separation of multi-branched species prior to the feed passing to an isomerization step. The nature of Applicants' feed is described on pages 12 and 13 of the application, including but not limited to hydrocracking naphtha's and cuts from atmospheric distillation as well as light reformates as noted in the last example of the specification. Common to all of these feeds is that they contain the straight chain, mono-branched, di-branched and tri-branched paraffins, including at least C7 paraffins. Also, it is clear from Applicants' specification, including the description of the figure 1A that these fresh feeds have not been treated so as to remove di-branched and tri-branched paraffins as in the case of

Stem et al. Instead, the entire feed is passed to an isomerization zone and then the separation of the resultant isomerizate occurs in a subsequent step.


It was thought that this distinction was made prior to receiving the final rejection, but the Examiner has adroitly pointed out that it would be expected that the isomerization feed from the upstream separation zone would comprise at least some small amount of multi-branched paraffins despite the fact that the objective of Stem et al. is to remove such multi-branched paraffins prior to passing the feed to the initial isomerization unit. Thus, in order to provide a clean line of demarcation between the present invention and that of Stem et al., the amendment provides that the fresh feed was not previously treated to remove any di-branched and tri-branched paraffins. The amendment was not provided previously because Applicants did not have the understanding of the Examiner at that time.

This amendment should place the case in condition for allowance. It is clear from modern decisions of the federal circuit that amendments to claims can be provided so long as the specification would have conveyed the subject matter of the amendments to one of ordinary skill in the art at the time the application was filed. The corollary is that the express wording of an amendment need not be found in the body of the specification in order to provide support for claims.

In view of the above remarks, favorable reconsideration is courteously requested. If there are any residual problems which can be expeditiously resolved by a telephone conference, the Examiner is courteously invited to telephone Counsel at the number indicated below.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,


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